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PTO/SB/01 (10-00)
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**DECLARATION FOR UTILITY OR
DESIGN
PATENT APPLICATION
(37 CFR 1.63)**

☐ Declaration Submitted with Initial Filing OR ☒ Declaration Submitted after Initial Filing (surcharge (37 CFR 1.16 (e)) required)

Attorney Docket Number 4002-2729
First Named Inventor Lawrence M. BOYD

COMPLETE IF KNOWN

Application Number 09 / 869,755
Filing Date July 5, 2001
Group Art Unit
Examiner Name

As a below named inventor, I hereby declare that:

My residence, mailing address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

TRUNCATED OPEN INTERVERTEBRAL SPACERS

(Title of the Invention)

the specification of which

☐ is attached hereto

OR

☒ was filed on (MM/DD/YYYY) 01/11/2000

as United States Application Number or PCT International

Application Number PCT/US00/00590 and was amended on (MM/DD/YYYY) 09/07/2000

(if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment specifically referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or any PCT international application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?	
PCT/US00/00590	US	01/11/2000	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	<input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

I hereby claim the benefit under 35 U.S.C. 119(e) of any United States provisional application(s) listed below.

Application Number(s)	Filing Date (MM/DD/YYYY)	<input type="checkbox"/> Additional provisional application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto.
60/115,388	01/11/1999	

[Page 1 of 2]

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DECLARATION — Utility or Design Patent Application

Direct all correspondence to: ☐ Customer Number OR ☒ Correspondence address below

Name Kenneth A. Gandy @ Woodard, Emhardt, Naughton, Moriarty & McNett

Address Bank One Center/Tower, Suite 3700

Address 111 Monument Circle

City Indianapolis

State IN

ZIP 46204-5137

Country US

Telephone 317-634-3456

Fax 317-637-7561

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

NAME OF SOLE OR FIRST INVENTOR :

☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Lawrence M.

Family Name
or Surname Boyd

Inventor's
Signature

Date

Residence: City Durham

State NC

Country US

Citizenship US

Mailing Address 25 Birnham Lane

Mailing Address

City Durham

State NC

ZIP 27707

Country US

NAME OF SECOND INVENTOR:

☒ A petition has been filed for this unsigned inventor

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Family Name
or Surname Burkus

Inventor's
Signature

Date

Residence: City Columbus

State GA

Country US

Citizenship US

Mailing Address 7162 Williams Hill Road

Mailing Address

City Columbus

State GA

ZIP 31904

Country US

☒ Additional inventors are being named on the 1 supplemental Additional Inventor(s) sheet(s) PTO/SB/02A attached hereto.

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DECLARATION

ADDITIONAL INVENTOR(S)

Supplemental Sheet

Page 3 of 4

Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
John D. <u>Borchak</u>		<u>Dorchak</u>	
Inventor's Signature		Date 10/17/01	
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Mailing Address			
City <u>Midland</u>	State <u>GA</u>	ZIP <u>31820</u>	Country <u>US</u>
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Bradley T. <u>Estes</u>		<u>Estes</u>	
Inventor's Signature		Date	
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Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Eddie F. <u>Ray, III</u>		<u>Ray, III</u>	
Inventor's Signature		Date	
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Mailing Address <u>1781 Fernhall Cove</u>			
Mailing Address			
City <u>Collierville</u>	State <u>TN</u>	ZIP <u>38017</u>	Country <u>US</u>

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Given Name (first and middle [if any])		Family Name or Surname	
John D.		Dorchak	
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Mailing Address			
City Midland	State GA	ZIP 31820	Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Bradley T.		Estes	
Inventor's Signature <i>Bradley T. Estes</i>		Date <i>25 October 2001</i>	
Residence: City Durham	State NC	Country US	Citizenship US
Mailing Address 4712 American Drive			
Mailing Address			
City Durham	State NC	ZIP 27705	Country US
Name of Additional Joint Inventor, if any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle [if any])		Family Name or Surname	
Eddie F.		Ray, III	
Inventor's Signature		Date	
Residence: City Collierville	State TN	Country US	Citizenship US
Mailing Address 1781 Fernhall Cove			
Mailing Address			
City Collierville	State TN	ZIP 38017	Country US

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☐ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) Lawrence M.

Family Name
or Surname Boyd

Inventor's
Signature

Date 10-22-01

Residence: City Durham

State NC

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Mailing Address

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NAME OF SECOND INVENTOR:

☒ A petition has been filed for this unsigned inventor

Given Name
(first and middle [if any]) J. Kenneth

Family Name
or Surname Burkus

Inventor's
Signature

Date

Residence: City Columbus

State GA

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Citizenship US

Mailing Address 7162 Williams Hill Road

Mailing Address

City Columbus

State GA

ZIP 31904

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Inventor's Signature		Date	
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City Midland	State GA	ZIP 31820	Country US
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Bradley T.		Estes	
Inventor's Signature		Date	
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City Durham	State NC	ZIP 27705	Country US
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Given Name (first and middle [if any])		Family Name or Surname	
Eddie F.		Ray, III	
Inventor's Signature <i>Eddie F. Ray</i>		Date 17, Oct. 01	
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DECLARATION**Registered Practitioner Information
(Supplemental Sheet)**

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John V. Moriarty	26,207		
John C. McNett	25,533		
Thomas Q. Henry	28,309		
James M. Durlacher	28,840		
Charles R. Reeves	28,750		
Vincent O. Wagner	29,596		
Steve Zlatos	30,123		
Spiro Bereveskos	30,821		
William F. Bahret	31,087		
Clifford W. Browning	32,201		
R. Randall Frisk	32,221		
Daniel J. Lueders	32,581		
Kenneth A. Gandy	33,386		
Timothy N. Thomas	35,714		
Kurt N. Jones	37,996		
John H. Allie	39,088		
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Gregory B. Coy	40,967		
Lisa A. Hiday	40,036		
John V. Daniluck	40,581		
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C. John Brannon	44,557		
Arthur J. Usher IV	41,359		
Douglas A. Collier	43,556		
Brad A. Schepers	45,431		
Scott J. Stevens	29,446		
James B. Myers	42,021		
John M. Bradshaw	46,573		
Charles P. Schmal	45,082		
Edward E. Sowers	36,015		
Quentin G. Cantrell	47,469		